

October 29, 2004

EA-04-096

NMED Numbers 020139, 030826, 030833, 040026, 040169, and 040531

Mark W. Fecteau, Plant Manager  
Westinghouse Electric Company  
Commercial Nuclear Fuel Division  
Drawer R  
Columbia, SC 29250

SUBJECT: REVISED INSPECTION REPORT NO. 70-1151/2004-202 AND NOTICE OF VIOLATION

Dear Mr. Fecteau:

The U.S. Nuclear Regulatory Commission (NRC) conducted a routine announced inspection in the areas of criticality safety, operations, and emergency preparedness at your facility in Columbia, South Carolina, from July 12 through 16. A routine inspection in the areas of management organization and controls, and transportation was conducted from August 2 through 6. In response to an operational event during the week of July 12, 2004, the inspection related to criticality safety and operations was continued to further evaluate the event during the week of August 2, 2004. Exit meetings were held on July 16, 2004, and August 6, 2004.

On September 7, 2004, NRC issued inspection report 70-1151/2004-202 (ML042470028) which described the results of the inspection. However, NRC identified that inspection results for the inspection in the areas of management organization and controls and transportation were inadvertently omitted from the report and, therefore, is issuing the enclosed revised inspection report 70-1151/2004-202. The original report issued on September 7, 2004, under ML042470028, will be rescinded from the Agency-wide Documents Access and Management System (ADAMS) and no longer publicly available. The specific revisions to the report, including the identification of an unresolved issue (URI) in the area of management controls and organization, were discussed with Sam McDonald of your staff on October 29, 2004.

The inspection, which is described in the enclosure, focused on: (1) the most hazardous activities and plant conditions; (2) the most important controls relied on for safety; and, (3) the principal management measures for ensuring controls are capable, available, and reliable to perform their function relied on for safety. The inspection consisted of facility walkdowns, selective examinations of relevant procedures and records, examinations of safety-related equipment, interviews with plant personnel, and observations of plant conditions and activities in progress. Throughout this inspection, observations were discussed with your managers and staff.

Based on the results of the inspection, the NRC has determined that two Severity Level IV violations of NRC requirements occurred. The violations were evaluated in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. The current Enforcement Policy is included on the NRC's web site at [www.nrc.gov](http://www.nrc.gov); select What We Do, Enforcement, then Enforcement Policy. The violations are

being cited in the enclosed Notice of Violation (Notice) as Severity Level IV violations, and the circumstances surrounding them are described in detail in the subject inspection report. The violations are being cited in the Notice because they were identified by the NRC during the inspection. The first violation being cited as a Severity Level IV violation is a failure to follow procedures. The second violation being cited as a Severity Level IV violation is a failure to identify the specific limits and controls in a criticality safety analysis (CSA).

Since you have already responded to the Notice of Violation enclosed with the report dated September 7, 2004, and the Notice of Violation is not changed in the revised report, you are not required to respond to this letter.

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice," a copy of this letter and the enclosure will be available in the public electronic reading room of the NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions concerning this report please contact Lawrence Berg, of my staff, at (301) 415-6215.

Sincerely,

*/RA/*

Melanie A. Galloway, Chief  
Technical Support Group  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 70-1151  
License No. SNM-1107

being cited in the enclosed Notice of Violation (Notice) as Severity Level IV violations, and the circumstances surrounding them are described in detail in the subject inspection report. The violations are being cited in the Notice because they were identified by the NRC during the inspection. The first violation being cited as a Severity Level IV violation is a failure to follow procedures. The second violation being cited as a Severity Level IV violation is a failure to identify the specific limits and controls in a criticality safety analysis (CSA).

Since you have already responded to the Notice of Violation enclosed with the report dated September 7, 2004, and the Notice of Violation is not changed in the revised report, you are not required to respond to this letter.

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice," a copy of this letter and the enclosure will be available in the public electronic reading room of the NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions concerning this report please contact Lawrence Berg, of my staff, at (301) 415-6215.

Sincerely,

**/RA/**

Melanie A. Galloway, Chief  
Technical Support Group  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 70-1151  
License No. SNM-1107

Enclosure:  
Revised Inspection Report 70-1151/2004-202

cc w/enclosure: Sam McDonald, WEC

cc w/o enclosure: T. Pearce O'Kelley  
Bureau of Radiological Health  
South Carolina Department of Health  
and Environmental Control

**DISTRIBUTION:**

JHenson, RII      LGersey    VGousha      DSeymour, RII      DStout      MMoore

**Pkge: ML043010550**

| INDICATE IN BOX: "E"=COPY W/ATT/ENCL; "C"=COPY W/O ATT/ENCL; "N"=NO COPY |            |   |            |   |            |   |                      |   |            |   |
|--|------------|---|------------|---|------------|---|----------------------|---|------------|---|
| <b>OFFICE</b>  | TSG        | E | TSG        | E | TSG        | E | DFFI                 | E | TSG        | E |
| <b>NAME</b>  | LBerg:dw*  |   | DMorey*    |   | RCesaro*   |   | JHenson<br>via email |   | MGalloway  |   |
| <b>DATE</b>  | 10/ 27 /04 |   | 10/ 27 /04 |   | 10/ 28 /04 |   | 10/ 28 /04           |   | 10/ 29 /04 |   |

**OFFICIAL RECORD COPY**